

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CARBON CREST LLC,

Plaintiff,

No. C-19-08179-WHA

v.

TENCUE PRODUCTIONS, LLC, et al.,

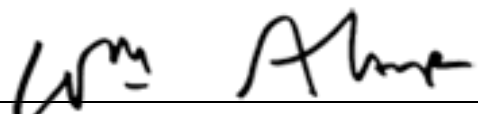
Defendants.

**ORDER DENYING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

The motion for summary judgment is **DENIED**. There are too many genuine issues of material fact. One issue is whether or not, even if we apply Delaware law, the terms of the business advisory agreement were “fair” at the time. Another issue concerns the possible applicability of California’s real estate brokerage law. While the latter is a legal issue, it is a legal issue the Court is not ready to resolve. Subsidiary issues concern whether services to be rendered by the plaintiff fell within the ambit of California’s licensing statute (as opposed to those services performed by a “banking partner” as per the business advisory agreement).

**IT IS SO ORDERED.**

Dated: February 2, 2021

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE